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Book Reviews

A TREATISE ON THE POWER OF TAXATION, STATE AND FEDERAL, IN THE UNITED STATES. By Frederick N. Judson. The F. H. Thomas Law Book Company. St. Louis, 1917. pp. xxx, 1144.

This is the second edition of a book which has become a recognized authority on its subject. The recognition which the work has received has proceeded wholly from its intrinsic merits. If the first edition filled a need in 1902, this new edition fills an almost greater need; for the interval of fifteen years between the two issues of the book has been marked by great activity and progress in the matter of taxation. New demands in the way of social betterment have called for new methods of taxation. Such calls have been met by response in statutes in many of our commonwealths. The Federal government, too, has had unusual pressure brought upon it, and the scope of its taxing interests has grown enormously. Judicial decisions have followed legislation. A great mass of law, statute and judicial, has thus developed, and has called for adequate treatment at the hands of a trained and competent jurist.

Mr. Judson has fulfilled the expectations one would have formed from his previous performance. The new edition is marked by the same sound, judicious and accurate discussion of problems that characterized the first edition. A new chapter has been added on "Enforcement of Limitations upon Federal Taxation." A hundred or more sections have been added, and some four hundred new cases have been cited. We have here a book that is admirable for the wisdom of its judgments, as well as for the accuracy and brevity of its expression.

W. C. J.

THE LAW RELATING TO TRADING WITH THE ENEMY TOGETHER WITH A CONSIDERATION OF THE CIVIL RIGHTS AND DISABILITIES OF ALIEN ENEMIES AND OF THE EFFECT OF WAR ON CONTRACTS WITH ALIEN ENEMIES. By Charles Henry Huberich. Baker, Voorhis and Company. New York, 1918.

While the signing of the armistice has terminated actual hostilities, the formal treaty of peace will be required to put an end to conditions of belligerency. And with the treaty an endless vista of legal questions arising out of the war opens up. After the Napoleonic war and after our own Civil War, the reports for several years were replete with cases discussing various aspects of the law of war in its relation to private rights. With the intricate and elaborate legislation which has supplemented and in part supplanted the common law on the subject, there will be need for many years to come of the lawyer's familiarizing himself with the subject.

Dr. Huberich's book affords the starting point for investigation

of the numerous questions which will arise in practice. The author supplies an authoritative treatment of the general law, irrespective of statutes, and a comprehensive commentary upon our Trading with the Enemy Act of 1917. The British and Colonial Acts are also printed in full. Dr. Huberich has, however, not merely compiled materials, though he has done this well. His work is constructive and full of intelligent careful discussion of the principles and the latest authorities. The author is one of the best qualified persons in America to perform the task he has undertaken. His preparation is most unusual. An American lawyer, a former law teacher, with a thorough training in Continental law and an experience derived from practice for several years in European capitals, Dr. Huberich's equipment is unique.

The book is an essential for any lawyer whose practice touches any question arising out of the law of alien enemies.

O. K. M.

INTERNATIONAL LAW CODIFIED. By Pasquale Fiore. Translated by Edwin M. Borchard. Baker, Voorhis and Company. New York, 1918. pp. xix, 750.

This translation of Fiore's International Law Codified was undertaken at the invitation of the Division of International Law of the Carnegie Endowment for International Peace, and was made from the fifth Italian edition.

First issued in 1890, the work is not a codification of existing international law but "a proposed body of rules which should govern states in their mutual relations", and as such will have only the weight which the author's learning and its own reasonableness may give it.

Fiore's great object is to effect a legal organization of the states of such a character and with such machinery that it may both make and enforce international law. The principal defect at present is lack of organization. To meet this lack he proposes the periodical meeting of a Congress which shall have power to legislate and to provide for the enforcement of the laws thus made by collective action of the states. Arbitration he regards as insufficient to meet the complex questions which disturb the peace of states and therefore he proposes a conference, which, upon the request of any state, would settle political controversies, interpret ambiguous rules of law, and insure the execution of the rulings of the Congress.

This attempt to establish a doctrine of the "international rights of man", according to which every human being has international rights irrespective of his citizenship in a particular state, will hardly be accepted as scientific; nor will the practical application of it meet with greater favor, since he claims for every individual the unrestricted freedom of migration and expatriation, and the right to hold real property in any state. His recognition of the controlling power of public opinion and the need of doing away